

Notice of Allowability

Application No.

10/014,721

Examiner

Lana N Le

Applicant(s)

HALLER ET AL.

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/15/05.
2. ☒ The allowed claim(s) is/are 28,31-43,47 and 48.
3. ☒ The drawings filed on 18 March 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau.(PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 111004, 111504 ✓
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kirk DeNiro on 05/20/05.

2. The application has been amended as follows:

In the Claims:

in claim 42, line 7, after "status information", add --using a bit error rate--;

in claim 42, line 9, after "third devices", add --by the first device displaying the status information of the second and third devices--;

in claim 43, line 7, after "is calculated", add --using a bit error rate and--;

in claim 43, line 9, after "status information", add --of a first and a second device in the plurality of devices on a third device in the plurality of devices--;

in claim 43, line 9, after "a physical orientation of", delete --a plurality of devices-- and add --the first, second and third devices--.

REASON FOR ALLOWANCE

3. Claims 28, 31-43 and 47-48 are allowable over the cited prior art.

4. The following is an examiner's statement of reasons for allowance:

Regarding claim 28, Davidson et al (US 6,265,788) disclose a processing device (fig. 2), comprising:

(a) a storage device (38);

(b) a processor (40) coupled to the storage device; and

(c) wherein the storage device (38) stores a first software component capable of notifying a status information of a first device (74a) responsive to a first short-range radio frequency signal (col 4, lines 47-57; col 5, lines 31-37);

However, Davidson et al and the cited prior art fail to further disclose:

the first and second moveable devices may be positioned by the user

the status information is calculated from a bit error rate of a short-range radio signal transferred between the first and second moveable devices;

a third moveable device to generate a second short-range radio frequency signal containing a status information of the third moveable device and wherein the second moveable device receives the second short-range radio frequency signal and notifies the status information of the third moveable device wherein the second device displays the status information of the first moveable device and the status information of the third moveable device concurrently so that the user is able to identify a physical orientation of the first second and third moveable devices for maximum signal reception.

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Regarding claim 42, Davidson et al (US 6,265,788) disclose an article of manufacture (electronic device for use in limited distance induction loop communication system), including a computer readable medium (electronic control unit 32), comprising:

a short-range radio software component (40) capable of processing a short-range radio frequency signal in a short distance wireless network (col 5, lines 32-33),

a notify software component capable of notifying status information of a first device (74a) and a second device (74b) and in the short distance wireless network (col 5, lines 31-37).

However, Davidson et al and the cited prior art fail to further disclose:

a calculate software component to calculate the status information using a bit error rate, wherein the notify software component notifies status information of the first, second and third devices such that a user identifies a physical orientation of the first, second and third devices by the first device displaying the status information of the second and third devices for maximum signal reception.

Regarding claim 43, Davidson et al (US 6,265,788) disclose a method for providing status information in a short distance wireless network, comprising the steps of:

(a) obtaining status information of a device in the short distance wireless network responsive to a short-range radio frequency signal (84) (col 5, lines 31-37), and

(b) notifying the status information responsive to a status information notify preference value (col 5, lines 14-28).

However, Davidson et al and the cited prior art fail to further disclose:

wherein the status information is calculated using a bit error rate and responsive to a plurality of status information notify preference values,

displaying the status information of a first and a second device in the plurality of devices on a third device in the plurality of devices such that a user identifies a physical orientation of the first, second and third devices for maximum signal reception.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Linge (US 20020028698), Display Apparatus

- Mittelstadt (US 6490465), Mobile Telephone Status Menu With Antenna

Position Indication

- Ou et al (US2002/0,086,642) Device For Detecting A Signal In A

Wireless LAN

- Ishikura et al (US 6,052,565), Mobile Communication Terminal Apparatus With

Data Communication Function

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- Baldwin et al (6,104,909), Method And Apparatus For Reporting Status Information In A Fixed Wireless Terminal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana N Le whose telephone number is (703) 308-5836. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lana Le

May 21, 2005